1401 Main Street, Suite 900 Columbia, SC 29201



Phone: (803) 737-0800 Fax: (803) 737-0801

jnelson@regstaff.sc.gov

Jeffrey M. Nelson Counsel for ORS

July 12, 2010

## **VIA ELECTRONIC FILING**

Ms. Jocelyn Boyd Interim Chief Clerk/Administrator South Carolina Public Service Commission 101 Executive Center Dr., Suite 100 Columbia, SC 29210

Re: Bellsouth Telecommunications, Inc. d/b/a AT&T Southeast d/b/a AT&T South Carolina's Notice of Suspension and Disconnection of Service of Everycall Communications, Inc.

Docket No. 2010-233-C

Dear Ms. Boyd:

Although The Office of Regulatory Staff (ORS) does not desire to file a proposed Order with the Public Service Commission (Commission) in the above referenced matter, I appreciate this opportunity to express concerns which ORS has regarding consumer notice and protection in this case.

As argued by ORS at the hearing on Everycall's Motion, ORS' primary concern in this matter is that the customers of Everycall be notified of any impending disconnection or termination of telephone services. ORS appreciates and supports that portion of the Commission's directive issued on July 8, 2010 which directs Everycall to provide notification to its customers and a list of customers (by name, telephone number and address) to ORS and asks that these duties be restated in the Final Order of the Commission. ORS would also ask that the Commission provide in the Final Order that should Everycall fail to comply with this provision of the Order that alternatively AT&T provide the telephone numbers or other information in its possession with regard to such customers to ORS.

At the emergency hearing held in this case, the Commission questioned the duty or ability of Everycall to refund portions of the preceding month's payment for telephone service to Everycall's customers. ORS would suggest that the Commission may wish to address this issue

in its Final Order by providing that the date for any disconnection or termination of service to Everycall customers be delayed until August 13, 2010, which is thirty days after the date AT&T South Carolina is authorized to suspend service. Provided that Everycall provides notification to its customers as Ordered by the Commission by that date, and should it be further ordered by the Commission that Everycall be prohibited from accepting any new customers or payment(s) for its services from customers by the July 13, 2010 suspension date, this would substantially reduce, if not eliminate, the possibility that no customers of Everycall are left having paid for services which are or will be disconnected by August 13, 2010 and that there will be outstanding claims by Everycall customers.

Thank you for your consideration.

Sincerely,

cc. Patrick W. Turner, Esquire John J. Pringle, Esquire